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OFFICE OF PETITIONS

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Attorney Docket: 061047-0265649  
Reference: SB-1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of:

Confirmation Number: 9997

FRANKEL ET AL.

Application No.: 09/492,534

Group Art Unit: 3621

Filed: January 27, 2000

Examiner: D.L. GREENE

Title: METHODS FOR OPERATING INFRASTRUCTURE AND APPLICATIONS FOR CRYPTOGRAPHICALLY-SUPPORTED SERVICES

April 5, 2004

**PETITION TO REVIVE ABANDONED PATENT APPLICATION**  
**UNDER 37 C.F.R. §1.137(b)**

**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.137(b), Applicants hereby petition to revive the above-identified patent application, which became abandoned for failure to file a proper response to the Office Action mailed February 18, 2003. The date of abandonment is September 12, 2003.

On July 30, 2002, the assignee, Certco, Inc., of the entire title and interest of the above-referenced application at the time went into Chapter 11 bankruptcy in the United States Bankruptcy Court of the Southern District of New York. On March 7, 2003, the undersigned reported the Office Action mailed February 18, 2003 in this application to Peter Freund of Bank One Ventures and representing Certco. Bank One Ventures is an affiliate of

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First Chicago Equity Corporation, one of two lenders of Certco. Subsequently, pursuant to an auction sale authorized by the Court, the above-referenced application (along with, *inter alia*, other patent applications) were sold to First Chicago Equity Corporation and Four Partners (the other lender of Certco) on March 26, 2003. The undersigned sent reminder letters to Mr. Freund on April 24, 2003, May 21, 2003, June 19, 2003, July 18, 2003 and August 18, 2003 regarding the outstanding Office Action in this application. On September 11, 2003, the bankruptcy proceedings against Certco were dismissed. On October 2, 2003, the undersigned reported to Mr. Freund the Notice of Abandonment mailed September 12, 2003 in this application. At no time during the preceding period did the undersigned receive instructions or authorization to respond to the outstanding Office Action in this application.

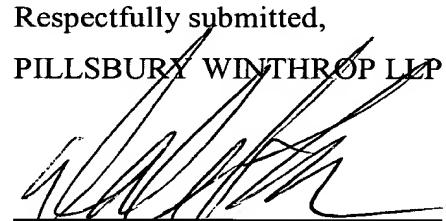
On November 24, 2003, Mr. Freund contacted the undersigned to inquire whether the above-identified application could be revived. Mr. Freund stated to the undersigned that the delay in responding to the outstanding Office Action was unintentional and was due in part to the confusion of the bankruptcy proceeding, the tangle of the large Certco portfolio of U.S. and foreign patent applications and lack of understanding over who had the authority and responsibility to take actions in the prosecution of this application. Upon review of the facts and circumstances, the undersigned reported to Mr. Freund on December 12, 2003 that revival may be possible and requested authorization to revive this application, including responding to the outstanding Office Action in this application. In January, 2004, the undersigned received authorization to revive this application, including responding to the outstanding Office Action in this application. The outstanding Office Action was reviewed and it was determined that one of the inventors, formerly employed by bankrupt Certco, should be contacted regarding the merits of the Office Action. In February and March, 2004, inventor Marcel Yung was contacted regarding the outstanding Office Action and the response to the outstanding Office Action was prepared. Based on the foregoing, the entire

delay in filing the required response, from the due date of the required response until the date of filing a grantable petition, was unintentional.

Applicants are filing a reply to the outstanding Office Action of February 18, 2003 along with this Petition. Therefore, Applicants respectfully submit that the reply requirements for this Petition have been met. The petition fee pursuant to C.F.R. § 1.17(m) may be charged to our deposit account no. 03-3975, under our order no. 061047/0265649, pursuant to the enclosed PTO/SB/17 form filed herewith in duplicate. Should any other fees be due, those fees may also be charged to our deposit account, under that same order number. No terminal disclaimer is required for this application, because it was filed after June 8, 1995.

Favorable action on this petition is earnestly solicited. If the official examining this petition has any questions, he or she is invited to contact the undersigned to discuss those questions.

Respectfully submitted,  
PILLSBURY WINTHROP LLP



Dale S. Lazar  
Reg. No. 28,872  
Tel. No. 703-905-2126  
Fax No. 703-905-2500

DSL/JGH  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000